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FM AMEMBASSY MANILA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 6642
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS IMMEDIATE
RHHMUNA/CDRUSPACOM HONOLULU HI IMMEDIATE
RUEKJCS/SECDEF WASHDC IMMEDIATE

UNCLAS SECTION 01 OF 02 MANILA 001702

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SENSITIVE
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E.O. 12958: N/A
TAGS: PHUM PGOV RP

SUBJECT: PHILIPPINE POLICE, MILITARY CONTINUE EFFORTS
AGAINST UNLAWFUL KILLINGS

REF: A. MANILA 855
¶B. MANILA 777
¶C. MANILA 458

¶11. (SBU) Summary. Police continue to file new cases against suspects in unlawful killings, leading already to several arrests and ongoing prosecutions, in addition to four earlier convictions. The Armed Forces launched two dozen inquiries into alleged involvement by military personnel in some cases. President Arroyo plans soon to sign an Executive Order mandating police/prosecution cooperation in order to improve chances of successful convictions in cases of unlawful murders and other crimes. A European Union delegation in June will examine possibility for future assistance against unlawful killings. Embassy officials continue to highlight both U.S. concern for such crimes as well as our desire to find additional ways to help the Philippines combat this problem. End Summary.

Police investigations

¶12. (SBU) Philippine National Police (PNP) Task Force Usig Commander Geary Barrios on May 22 provided an update to Pol/C on efforts to bring to justice those involved in unlawful killings of leftist activists and journalists (ref c). Key accomplishments in recent months regarding 116 killings of leftists and 27 killings of journalists from 2001 to the present have been:

-- filing of two more cases related to leftist killings, bringing the total of cases in which police have filed charges to 52, along with 21 cases related to killings of journalists;
-- investigations continue on another 64 leftist killings and on five journalist killings;
-- two more arrests of suspects in leftist killings, bringing the total to twelve suspects in jail in nine different cases;
-- eighteen suspects currently in detention in journalist killings awaiting trial, with another four already convicted, and one suspect released on bail;
-- filing of charges in five of the six cases of leftist killings with "military elements" as suspects (with one arrest and one surrendered suspect already), as well as charges in two of five other cases in which suspects were "military assets" (leading to one arrest already); and,
-- an additional three police superintendents have been relieved of command (in Misamis Oriental, Iloilo, and Quezon provinces) for suspected involvement in or failure adequately to pursue cases of unlawful killings, in addition to four others relieved of command earlier (in Laguna, Albay, Sorsogon and Kalinga provinces).

¶13. (U) The PNP has now set up its own internal Human Rights Committee, with specific responsibility to investigate cases

in which police are suspects in killings of leftists or journalists. It also provides human rights training. Pol/C and the U.S. Senior Law Enforcement Advisor will meet with its commander during the week of May 28 to determine ways in which the U.S. Embassy might be of assistance.

¶4. (U) Task Force Usig statistics indicate that there have in 2007 so far been four killings of leftist activists and one of a journalist, compared to 39 and 2, respectively, for 2006. General Barrios said that President Arroyo recently had ordered that the PNP resolve at least 20 more cases before the end of the year, a target that he predicted Task Force Usig would meet or exceed.

Military efforts

¶5. (SBU) In a separate meeting on May 21, Lt. Col. Benedicto M. Jose, Chief of the Armed Forces of the Philippines' (AFP) four-month old Human Rights Office (HRO), briefed Pol/C on latest efforts. The HRO has already launched 24 "inquiries" into unlawful killings with alleged involvement of AFP personnel. The current focus is primarily on cases that took place in 2006 or 2007, especially related to unusual concentrations of cases in northern Luzon and Bicol regions. Initial responses from commanders in the field tentatively ruled out complicity by AFP personnel in most cases, and often assigned blame to elements of the New People's Army (NPA) or declared that the deaths took place during military operations against the NPA. In a few cases, the commanders were able to refute that the alleged killings took place at all, citing inaccurate media reporting. Lt. Col. Jose said that he would strengthen the HRO's investigatory cooperation with not only the AFP's Offices of

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the Provost Marshal General, Inspector General (where a U.S. Subject Matter Expert under the Philippine Defense Reform is already working), and Judge Advocate General, but also with the Philippine Commission on Human Rights. He noted that the HRO is in close and regular consultation with the Presidential Human Rights Committee (PHRC), chaired by Malacanang's Executive Secretary Eduardo Ermita (a retired AFP general who once served as AFP Vice Chief of Staff and also as Secretary of National Defense).

¶6. (SBU) In addition to the HRO's ongoing inquiries, Lt. Col. Jose confirmed that there are currently five cases filed in court against regular AFP members (four involving leftist killings and one of a journalist), along with two cases against suspected military assets. Four cases against regular AFP members are still under police investigation, along with police investigations against two AFP units. In eight other cases allegedly involving AFP personnel or assets, either the Department of Justice had already dismissed charges or the individuals had been acquitted. He provided details about these individuals and the circumstances of the various criminal cases.

¶7. (SBU) According to Lt. Col. Jose, the AFP HRO's longer term goals, subject to funding (possibly including from foreign donors), would be to:

- recruit AFP reservists who are lawyers to help with investigations;
- require re-registration and ballistics checks for all AFP-issued firearms for later cross-checks with crime scenes;
- develop AFP forensics capabilities; and,
- create a separate and dedicated military police unit within the AFP, which would be independent and specialized in investigations and detentions.

Malacanang role

¶8. (SBU) The Presidential Human Rights Committee is finalizing a draft Executive Order that would mandate

police/prosecutor cooperation from the outset of a crime in an effort to ensure more successful prosecutions and convictions of a wide variety of crimes, but targeted explicitly in the short term on unlawful killings. According to Executive Director Cecilia Quisumbing, PHRC chairman Ermita ordered that the Philippine Department of Justice finalize its review of the contents by May 31. She said that President Gloria Macapagal Arroyo as well as Justice Secretary Raul Gonzales had already indicated their strong

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support for this new measure, and that the President hoped to sign the E.O. in June 2007. This measure would implement the kind of cooperation between investigators and prosecutors that U.S. experts had advocated in a recent INL-funded seminar (septel), Ms. Quisumbing noted.

¶9. (SBU) A European Union delegation will visit the Philippines in mid-to-late June to examine the problem of unlawful killings and determine possible new training and other assistance, according to Ms. Quisumbing. She added that she was chairing a series of meetings for relevant Philippine agencies -- including Foreign Affairs, Interior and Local Government, Justice, PNP, AFP, and the Supreme Court -- to ensure that their proposals and suggestions were comprehensive and relevant.

Comment

¶10. (SBU) Embassy officials from the Ambassador on down continue publicly and privately to highlight U.S. concern about unlawful killings (as well as other political violence, as during the recent election campaign season) and to seek additional ways the USG could provide assistance to the Philippine Government in combating these human rights abuses.

The Embassy's Public Affairs team, Law Enforcement Working Group, and Political/Military Working Group, as well as the U.S. Senior Law Enforcement Advisor and his staff, remain seized with the issue, and will sustain or expand our efforts while promoting greater cooperation with Philippine authorities.

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